REMARKS/ARGUMENTS

Claims 1, 2, 4, 7, 9, 11, and 15 are amended. Claims 1-16 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

The present invention relates to a wireless communication system which performs data communications, and more particularly, to a wireless communication system wherein transmission rate in a radio zone can be changed (*see Applicant's specification at page 1, lines 7-10*).

CLAIM REJECTION UNDER 35 U.S.C. § 103

Claims 1-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Uchida (U.S. Patent 6,745,049) in view of Hashem (U.S. Patent 6,701,129). Applicant respectfully traverses the rejections of the remaining claims with respect to independent claim 1.

Claim 1 is as follows:

> A wireless communication system configured from a wireless base station and a wireless communication terminal, wherein a wireless communication line is set between the wireless base station and the wireless communication terminal,
>
> the wireless base station comprises:
>
> a wireless base station transmission rate notify section that notifies the wireless communication terminal of a transmission rate that enables to be supported by the wireless base station on the wireless communication line from the wireless communication terminal to the wireless base station, and
>
> the wireless communication terminal comprises:
>
> a storage section that stores a transmission rate required by the wireless communication terminal on the wireless communication line from the wireless communication terminal to the wireless base station; and

> a transmission rate determination section that determines a transmission rate on the wireless communication line from the wireless communication terminal to the wireless base station based on a result of comparing the transmission rate notified from the wireless base station with the transmission rate stored in the storage section.

The applied references do not disclose the features of that claim for the reasons discussed herein.

Uchida relates to a mobile communication system which sets an asymmetrical data communication channel in which a transmission rate of communication data transmitted from a mobile station to a base station differs from a transmission rate of communication data transmitted from a base station to a mobile station (*Uchida col. 1, lines 5-10*). Uchida discloses "Reference numerals 23a, 24a, 25a and 26a designate a radio-covered area of the mobile station 23, a radio-covered area of the mobile station 24, a radio-covered area of the mobile station 25, and a radio-covered area of the mobile station 26, respectively. Reference numerals 27, 28 and 29 designate mobile switching centers which receive control information necessary for data communication from the database 11 connected to PSTN 12 and receive control information transmitted from the mobile station 16 and so on through the base station 23 and so on, and set a transmission rate of communication data transmitted/received between the mobile station 16 and so on and the database 11 and the like, respectively." (*Col. 9, lines 59-67*). Uchida is thus directed to the wired communication between database 11 and base stations 23-26 (*see Uchida FIG. 2*). In contrast, claim 1 recites "A wireless communication system configured from a wireless base station and a wireless communication terminal, wherein a wireless communication line is set between the wireless base station and the wireless communication terminal." Accordingly, the present invention

determines a transmission rate in the wireless communication, and not the transmission rate of the wired communication as mentioned in Uchida.

Moreover, Uchida does not disclose or suggest "the wireless base station ...notifies the wireless communication terminal of a transmission rate that enables to be supported by the wireless base station" as recited in the amended claim 1. The base station of Uchida does not notify the wireless communication terminal the transmission rate of the base station. The Action asserts Uchida col. 2, lines 14-67 as disclosing that feature; Applicant respectfully disagrees with that assertion. The cited portion of Uchida discloses only that the mobile switching center changes a transmission rate of communication data transmitted from the communication apparatus to the mobile station (wireless communication terminal) in accordance with a request from the mobile station or the communication apparatus. Accordingly, Uchida does not disclose or suggest that feature of claim 1.

Moreover, the present invention does not necessarily alter the transmission rate of the wired communication in accordance with the wireless transmission rate, unlike Uchida. The difference between the present invention and Uchida flows from the structural difference between the two systems.

Accordingly, Uchida does not disclose or suggest all the features of claim 1. Hashem is directed at a method for adapting modulation schemes to changing channel quality with reduced overhead signaling (*Hashem Abstract*). Hashem also does not disclose or suggest the features of claim 1 discussed above, and thus cannot remedy the deficiencies of Uchida.

Since Uchida and Hashem do not disclose or suggest all the features recited in claim 1, that claim is allowable over the applied reference. Such allowance is respectfully requested. Independent claims 2, 6, 7, and 11-13 recite similar features

as discussed above are allowable at least for the same reasons as claim 1; the allowance of claims 2, 6, 7, and 11-13 is also respectfully requested.

Moreover, independent claims 2, 7, and 13 recite additional features not disclosed or suggested by the applied references. For example, Uchida does not disclose or suggest that "the wireless communication terminal ... notifies the wireless base station of a transmission rate required by the wireless communication terminal" recited in claim 2. Instead, the communication terminal of Uchida initiates a request for change in transmission rate, and not the transmission rate required by the wireless communication terminal.

Moreover, Uchida teaches that the mobile switching center changes (determines) the transmission rate "individually and independently" in accordance with a request from the mobile station or the communication apparatus (*Uchida, col. 12, lines 16-23*). In contrast, claim 2 recites the mobile station or base station determines a transmission rate. Accordingly, the applied references are not seen to disclose or suggest the additional features recited by claims 2, 7, and 13.

Claims 3-5 depend from independent claim 2; claims 8-10 depend from independent claim 7; claims 14-16 depend from independent claim 13. Since the base claims 2, 7, and 13 are allowable as discussed above, claims 3-5, 8-10, and 14-16 are also allowable over the applied reference. Such allowance is respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los

Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
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